

MINUTE ITEM

15. (COMPLAINT FOR EJECTMENT AND TO ENJOIN TRESPASS, HOMER A. HANSEN, ET AL., KERN COUNTY - S.W.O. 6773.)

After presentation of Calendar Item 22 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO INFORM THE OFFICE OF THE ATTORNEY GENERAL OF THE AUTHORIZATION FOR FILING A COMPLAINT FOR EJECTMENT AND TO ENJOIN TRESPASS BY HOMER A. HANSEN, ET AL., ON SECTION 16, TOWNSHIP 32 SOUTH, RANGE 35 EAST, M.D.B. & M., KERN COUNTY.

Attachment

Calendar Item 22 (1 page)

CALENDAR ITEM

SUPPLEMENTAL

22.

(COMPLAINT FOR EJECTMENT AND TO ENJOIN TRESPASS, HOMER A. HANSEN, ET AL., KERN COUNTY - S.W.O. 6773.)

Pursuant to a purchase application, a field appraisal of Section 16, Township 32 South, Range 35 East, M.D.B. & M., Kern County, has shown the existence of a spring, representing the principal portion of the sales value of the land, and unauthorized diversion of water from this spring for use on adjoining privately owned property. The diverted water is conveyed over the State land by an unauthorized pipeline. The diverter of the water has applied to the State Water Rights Board for authority to appropriate the water from the spring. The State Lands Division has objected to this application because an appropriation authorization would devalue the State land to the detriment of the State Land Trust.

The office of the Attorney General has recommended, for protection of the State land, that an action be brought to eject the diverter of the water and to enjoin his further activities on the land.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO INFORM THE OFFICE OF THE ATTORNEY GENERAL OF THE AUTHORIZATION FOR FILING A COMPLAINT FOR EJECTMENT AND TO ENJOIN TRESPASS BY HOMER A. HANSEN, ET AL., ON SECTION 16, TOWNSHIP 32 SOUTH, RANGE 35 EAST, M.D.B. & M., KERN COUNTY.